IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 116 OF 2007
IN
CRIMINAL APPLICATION NO. 115 OF 2007
IN
CRIMINAL APPLICATION NO. 2656 OF 2002

Lyla Baavadam @ Bavadam ..Applicant

Vs.

Riaz A. Parkar and ors. ..Respondents

Mr. A.S. Khandeparkar i/by Khandeparkar and Associates for applicant.

Mr. P.A. Pol, APP for State.

CORAM: B.H. MARLAPALLE, J.

Date : October 29, 2007.

P.C.:

1. This is an application for condonation of delay in filing Criminal Application No.115 of 2007 for restoration of Criminal Application No. 2656 of 2002. As per the office report this application is beyond time by 948 days and the only reason given in support of prayer for condonation of delay is that the

application is neither deliberate nor intentional. I have noted that in Criminal Application No. 2656 of 2002 filed under Section 482 of Cr.P.C. the applicant - original accused no.3 had prayed for quashing the proceedings in Summary Case No. 379 of 1993 filed for the offences punishable under Sections 499 to 502 read with Section 34 of IPC.

2. I am not inclined to entertain this application for the reasons that there is no case made out to condone the inordinate delay caused in applying for restoration.

3. Hence, the application is rejected.

4. Criminal Application No. 115 of 2007 does not survive and shall stand disposed as such.

(B.H. Marlapalle,J.)